REMARKS

This is intended as a full and complete response to the Final Office Action dated April 19, 2007, having a shortened statutory period for response set to expire on July 19, 2007. Applicants submit this response to place the application in condition for allowance or in better form for appeal. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-29 are pending in the application. Claims 9-13 and 25-29 remain pending following entry of this response. Claims 1-8 and 14-24 have been cancelled. Applicants submit that the amendments and new claims do not introduce new matter.

<u>Claim Rejections - 35 U.S.C. § 102</u>

Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by *Gupta et al.* (U.S. Patent No. 7,051,275, hereafter, "*Gupta*").

Claims 1-8 and 14-24 have been canceled as stated above. Applicants respectfully traverse this rejection with respect to claims 9-13 and 25-29.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

In this case, *Gupta* does not disclose "each and every element as set forth in claim 9." For example *Gupta* does not disclose *"allowing creators of annotations for a current version of a document to select one or more of the annotation versioning policies to dictate how the annotations should be applied to subsequent versions of the document."*

Examples of the policies that might be covered by claim 9 can be found in paragraph 0005:

> "One approach is to apply a "no-change" policy on the document, whereby annotations are maintained for the original document only and do not apply to subsequent versions. While this approach is simple, there may be many cases where at least some annotations would apply to a subsequent version of a document, such as when the particular portion described by the annotation has not changed. Therefore, another approach would be to "carry-forward" annotations to subsequent versions of a document. However, in some cases, some of the annotations may no longer apply, such as when an annotated portion of the document is edited to render the annotation invalid or deleted entirely. Further, even if the annotation does apply to the new version, annotation indexes indicating the corresponding annotated portions of the document may need to be updated to reflect the changes in the document."

Gupta teaches no such annotation versioning policies at all, much less putting the control over selecting the annotation versioning policies in the hands of the creator of the annotation as claim 9 states. The examiner cites *Gupta* Col. 9 lines 63-67:

> a user can specify that annotations which are particularly old, e.g., created more than two weeks earlier, are not to be displayed,

This cited section merely teaches the filtering of old annotations. However, in *Gupta*, this ability to not display old annotations is not controlled by the creator but by another user. In contrast, claim 9 allows

> creators of annotations for a current version of a document to select one or more of the annotation versioning policies to dictate how the annotations should be applied to subsequent versions of the document.

Moreover, *Gupta* does not mention a policy or policies "dictating how annotations made for a current version of a document should be applied to a *subsequent version* of the document." Instead, *Gupta* mentions a selection dictating how an annotation made for a current version of a document is applied to *that same version* of the document. Therefore, it is apparent that *Gupta* does not teach a creator selecting an annotation policy for subsequent versions of a document, as in claim 9, but rather teaches a user selecting a single annotation rule for a single version.

The examiner goes on to cite, *Gupta* Col. 13 lines 34-36:

> allowing the creator of the set to identify which users are able to read and/or write to the annotation set,

stating that it teaches "allowing the creator of the set to identify which users are able to read and/or write to the annotation set." The control mentioned in *Gupta* is similar to an administrative right, dependent on the user while independent of the version number. In contrast, the selection of an annotation versioning policy as recited in claim 9, allows the creator to dictate how annotations (created for one version of a document) are applied to subsequent versions of the document, dependent on the version number and independent of the user. In fact, *Gupta* discloses that users may not specify how an annotation created for one version of a document should be applied to subsequent versions of the document. In Column 7, line 22-26 *Gupta* states:

> Thus <u>regardless of the number of different versions</u> of particular multimedia content available to media server 11, <u>each annotation</u> created by annotation server 10, <u>is maintained as a single copy corresponding to all of these different versions</u>.

Thus, the creator of an annotation is not given any choice of how an annotation created for one document should be applied to subsequent versions, as recited in the claims.

Accordingly, Applicants submit claim 9 and its dependents are allowable and withdrawal of this rejection is respectfully requested.

Claim 25 also contains limitations that are not taught by *Gupta*. For example, Gupta fails to teach "defining a set of available annotation policies, each dictating how an annotation created for one version of a document should be applied to one or more subsequent versions of the document" and "providing an interface allowing a user to select one or more of the available annotation policies to be applied to the annotation" as recited. As described above, *Gupta* does not teach the use of any such type of annotation versioning policies.

Therefore, Applicants submit claim 25 and its dependents are allowable and withdrawal of this rejection is respectfully requested.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

If the Examiner believes any issues remain that prevent this application from going to issue, the Examiner is strongly encouraged to contact Randol Read, attorney, at (713) 623-4844, to discuss strategies for moving prosecution forward toward allowance.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

/Randol W. Read, Reg. No. 43,876/
Randol W. Read
Registration No. 43,876
PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd. Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Attorney for Applicants

575588_4.DOC